

(b) *It is an unfair method of competition or an unfair or deceptive act or practice in the business of discount health care programs for a discount health care program operator to provide a person with written prescription forms that could reasonably mislead an individual to believe that the discount health care program is health insurance or provides coverage similar to health insurance.*

SECTION 2. Subchapter D, Chapter 4151, Insurance Code, is amended by adding Section 4151.154 to read as follows:

Sec. 4151.154. DISCOUNT HEALTH CARE PROGRAMS. A pharmacy benefit manager may not require a pharmacist or pharmacy to:

- (1) accept or process a claim for prescription drugs under a discount health care program as defined by Section 7001.001 unless the pharmacist or pharmacy agrees in writing to accept or process the claim;*
- (2) participate in a specified provider network as a condition of processing a claim for prescription drugs under a discount health care program; or*
- (3) participate in, or process claims under, a discount health care program as a condition of participation in a provider network.*

SECTION 3. (a) Except as provided by Subsection (b) of this section, the changes in law made by this Act apply only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is governed by the law as it existed when the conduct occurred, and the former law is continued in effect for that purpose.

(b) The changes in law made by this Act apply only to a claim filed under a discount health care program on or after the effective date of this Act. A claim filed before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2015.

Passed by the House on May 13, 2015: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 22, 2015: Yeas 30, Nays 1.

Approved June 16, 2015.

Effective September 1, 2015.

STANDARDS FOR BOILER INSPECTION AGENCIES

CHAPTER 574

H.B. No. 3091

AN ACT

relating to the standards for boiler inspection agencies.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 755.032(a), Health and Safety Code, is amended to read as follows:

(a) The commission may adopt and enforce rules, in accordance with standard boiler usage, for the construction, inspection, installation, use, maintenance, repair, alteration, and operation of boilers. *The commission may adopt standards for an inspection agency to be authorized by the department to provide inspections under this chapter.*

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 23, 2015: Yeas 136, Nays 3, 2 present, not voting;
passed by the Senate on May 22, 2015: Yeas 31, Nays 0.

Approved June 16, 2015.

Effective June 16, 2015.

**ELIGIBILITY REQUIREMENTS TO ACT AS A FINANCIAL
ADVISER OR INVESTMENT ADVISER IN RELATION TO
CERTAIN PUBLIC SECURITIES**

CHAPTER 575

H.B. No. 3132

AN ACT

**relating to eligibility requirements to act as a financial adviser or investment adviser
in relation to certain public securities.**

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1371.154(b), Government Code, is amended to read as follows:

(b) To be eligible to be a financial adviser or an investment adviser under this subchapter, the adviser must:

(1) be registered:

(A) as a dealer or investment adviser in accordance with Section 12 or 12-1, The Securities Act (Article 581-12 or 581-12-1, Vernon's Texas Civil Statutes); ~~or~~

(B) with the United States Securities and Exchange Commission under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.), if the adviser is providing advice on the investment of bond proceeds and not on the issuance of a public security or an interest rate management agreement; *or*

(C) *with the United States Securities and Exchange Commission as a municipal advisor under Section 15B, Securities Exchange Act of 1934 (15 U.S.C. Section 78o-4);*

(2) have relevant experience in providing advice to issuers in connection with:

(A) the issuance of public securities;

(B) the valuation of interest rate management agreements; *or*

(C) the investment of public security proceeds; *and*

(3) acknowledge in writing to the issuer that in connection with the transaction for which the adviser is providing advice the adviser:

(A) is acting as the issuer's agent; *and*

(B) has complied with the requirements of this subchapter.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on April 23, 2015: Yeas 137, Nays 2, 2 present, not voting;
passed by the Senate on May 22, 2015: Yeas 31, Nays 0.

Approved June 16, 2015.

Effective September 1, 2015.